

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

KLBS0005-100

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/535280

INTERNATIONAL APPLICATION NO.

PCT/GB2003/005035

INTERNATIONAL FILING DATE

18 November 2003

PRIORITY DATE CLAIMED

18 November 2002

TITLE OF INVENTION HISTONE DEACETYLASE INHIBITORS

APPLICANT(S) FOR DO/EO/US Simon Joel, Charles Marson, Pascal Savy

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (UNEXECUTED)
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).


**Items 11 to 20 below concern document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Communication including copy of Page 79 of PCT application as originally filed

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

EV51356277US

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. <b>10/535280</b> (if known—see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO. PCT/GB2003/005035		ATTORNEY'S DOCKET NUMBER KLBS0005-100	
The following fees are submitted:				CALCULATIONS	PTO USE ONLY
21. <input checked="" type="checkbox"/> Basic national .....\$300				\$ 300.00	
22. <input checked="" type="checkbox"/> Examination Fee If international preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) .....\$100 All other situations .....\$200				\$ 200.00	
23. <input checked="" type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority .....\$100 International Search Report prepared and provided in the Office .....\$400 All other situations .....\$500				\$ 400.00	
<b>TOTAL OF 21, 22 and 23 =</b>				<b>\$ 900.00</b>	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
92 - 100 =	0/50 =	0	x \$250	\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	39 - 20 =	19	x \$50	\$ 950.00	
Independent claims	4 - 3 =	1	x \$200	\$ 200.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$ 0	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$1150.00</b>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
<b>SUBTOTAL =</b>				<b>\$ 2050.00</b>	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+	\$
<b>TOTAL NATIONAL FEE =</b>				<b>\$2050.00</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$
<b>TOTAL FEES ENCLOSED =</b>				<b>\$2050.00</b>	
				Amount to be refunded:	\$
				Amount to be charged: \$2050.00	\$
<p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>50-1275</u> in the amount of \$ <u>2050.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-1275</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p><b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</p>					
SEND ALL CORRESPONDENCE TO:					
 SIGNATURE Paul K. Legaard (Registration Number 38,534) NAME					

JC14 Rec'd PCT/PTO 17 MAY 2005

10/535280

The PTO did not receive the following  
listed item(s)

NO POST CARD

DOCKET NO. KLBS0005-100

10/535280  
JG14 REG. PTO 17 MAY 2005  
PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Simon Joel, Charles Marson, Pascal Savy

Serial No.: Not Yet Assigned

Filed: Herewith

Art Unit: Not Yet Assigned

Examiner: Not Yet Assigned

Title: HISTONE DEACETYLASE INHIBITORS

Express Mail Label No. EV 513562771 US


Date of Deposit: May 17, 2005

**Communication**

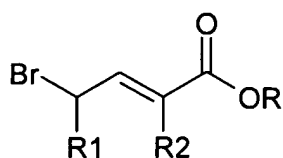
Applicants include herewith a paper copy of Page 79 of the originally filed PCT application as identified above which includes a portion of claim 23 and claims 24 and 25 which were inadvertently omitted in the published application (WO 2004/046094 A1). This error was communicated to the International Bureau. The International Bureau has provided a Communication acknowledging the error and advising that a correction will be published in Section II of the PCT Gazette and that the corrected version of the corresponding PCT pamphlet will be published on the same date. The International Bureau further advises that a copy of the notification is being sent to the receiving office (RO/GB) and to the elected offices concerned.. A copy of the Communication received from the International Bureau is attached hereto. Pages 79-81 of the published application should be renumbered as Pages 80-82 once corrected.

Respectfully Submitted

COZEN O'CONNOR

By:   
Paul K. Legaard (Reg. No. 38,534)  
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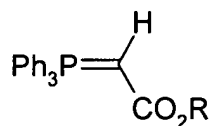
Dated: May 17, 2005



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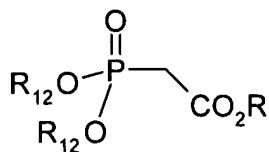
optionally followed by hydrolysis, or oxidation then hydrolysis.

- 5 24. A process as claimed in any one of claims 21 to 23, in which the aldehyde compound corresponding to the product of the addition of a compound of general formula (II) to general formula (III), is reacted with a stabilised phosphorous ylid compound



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or with a phosphonate compound of general formula:



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25. A process as claimed in claim 24, in which the stabilised phosphorous ylid compound is (triphenylphosphanylidene)-acetic acid ethyl ester.

